### Message

From: Fotouhi, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FEBAF0D56AAB43F8A9174B18218C1182-FOTOUHI, DA]

**Sent**: 11/1/2017 11:41:41 PM

To: Schwab, Justin [schwab.justin@epa.gov]
Subject: FW: Bristol Bay - only for WLO review.

Attachments: Highlights for Palmer 404c 1985 rec det vol 1of 3.pdf; highlights for Palmer Bayou aux Carpes 404c final

determination.pdf; 40 CFR 231 - Final searchable.pdf

See below res

Ex. 5 Attorney Client (AC)

#### David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Nalven, Heidi

**Sent:** Wednesday, November 1, 2017 4:41 PM **To:** Fotouhi, David < Fotouhi. David@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: Bristol Bay - only for WLO review.

Hi David – One correction: the link below is to the RD, not the FD.

### Ex. 5 Attorney Client (AC)

From: Nalven, Heidi

**Sent:** Wednesday, November 01, 2017 4:05 PM **To:** Fotouhi, David < <a href="mailto:fotouhi.david@epa.gov">fotouhi.david@epa.gov</a>>

Cc: Neugeboren, Steven < Neugeboren. Steven@epa.gov>; Wehling, Carrie < Wehling. Carrie@epa.gov>

Subject: RE: Bristol Bay - only for WLO review.

Hi David – See responses below in red.

From: Fotouhi, David

**Sent:** Wednesday, November 01, 2017 3:20 PM **To:** Nalven, Heidi < Nalven. Heidi@epa.gov>

Cc: Neugeboren, Steven < Neugeboren. Steven@epa.gov>; Wehling, Carrie < Wehling. Carrie@epa.gov>

**Subject:** Re: Bristol Bay - only for WLO review.

## Ex. 5 Attorney Client (AC)

# Ex. 5 Attorney Client (AC)

Sent from my iPhone

On Nov 1, 2017, at 3:10 PM, Nalven, Heidi <Nalven. Heidi@epa.gov> wrote:

### Ex. 5 Attorney Client (AC)

From: Fotouhi, David

Sent: Wednesday, November 01, 2017 1:14 PM To: Nalven, Heidi < Nalven. Heidi@epa.gov>

Cc: Neugeboren, Steven < Neugeboren. Steven@epa.gov>; Wehling, Carrie < Wehling. Carrie@epa.gov>

Subject: RE: Bristol Bay - only for WLO review.

Thanks so much! One question:

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

### **David Fotouhi**

**Deputy General Counsel** Office of General Counsel U.S. Environmental Protection Agency Tel: +1 202.564.1976 fotouhi.david@epa.gov

From: Nalven, Heidi

Sent: Wednesday, November 1, 2017 1:11 PM To: Fotouhi, David < Fotouhi. David@epa.gov>

Cc: Neugeboren, Steven < Neugeboren. Steven@epa.gov >; Wehling, Carrie < Wehling. Carrie@epa.gov >

Subject: FW: Bristol Bay - only for WLO review.

Hi David – I have attached edits and comments to the Bristol Bay paper. Carrie reviewed as well. You will see that I added one more option for you to consider

Ex. 5 Attorney Client (AC) Ex. 5 Attorney Client (AC) OW had sent around an example of an FR notice where EPA took such an action. I have

attached the FR notice.

### Heidi Nalven

U.S. EPA Office of General Counsel 202-564-3189

From: Neugeboren, Steven

Sent: Wednesday, November 01, 2017 9:41 AM

 $\textbf{To: Nalven, Heidi} < \underline{\text{Nalven.Heidi@epa.gov}}; \textbf{Wehling, Carrie} < \underline{\text{Wehling.Carrie@epa.gov}} \\$ 

Subject: FW: Bristol Bay - only for WLO review.

Steve Neugeboren Associate General Counsel for Water U.S. EPA 1200 Pennsylvania Ave., NW Washington, DC 20460 202 (564-5488)

From: Fotouhi, David

Sent: Wednesday, November 1, 2017 9:28 AM

To: Neugeboren, Steven < Neugeboren. Steven@epa.gov>

Subject: Bristol Bay

As discussed

### David Fotouhi

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